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## THE CIVIL SERVICE IN OUR NEW DEPENDENCIES.

When it was determined that we were to keep Porto Rico and the Philippines, and exercise dominion over certain heterogeneous races and peoples quite unlike ourselves, we stood, in respect to the kind of government we would establish, at the parting of the ways. On the one side was the spoils system,—the system of exploitation which had led to the wreck of Spanish colonial government, a system whose roots we have not yet completely torn from our own soil; and on the other side the merit system,—a system of government for the benefit of the governed, not wholly unlike that which England had evolved for the administration of India out of sickening experiences in corruption, mismanagement and disaster. It was of the utmost importance that we should start right. Fortunately, we had in the executive chair a President who possessed a breadth of statesmanship adequate to the situation. Mr. McKinley determined that the spoils system should not invade these new possessions. As commander-in-chief of the army and navy he had practically autocratic power over our newly acquired territory; and, fortunately, when Congress came to pass its first law in respect to the Philippines, it left this power where it had already been wisely exercised. The appointments made by the President were not political, but personal selections, and the two Philippine Commissions were composed of men of whose good faith and patriotic purposes there could be no question. Indeed, the excellence of the administration of Mr. McKinley was shown more clearly in his appointments to the high offices in our dependencies than in any other way. The writer, upon one occasion, was asked by the late President, "Do you know a good man for Attorney-General for Porto Rico? I have been looking for one for a long time,

and have not yet been able to find him. If it were for a similar position here at home, I would have no trouble; I could find many persons who would be good enough. But for these new possessions—we must take better care of them than of ourselves." Animated by such considerations, the appointments made both in Porto Rico and the Philippines were of the very highest class.

The last report of the Secretary of War contains the following:

"In providing the personnel of the government which is thus gradually superseding military administration, the Department has proceeded upon the assumption that the honor and credit of the United States are so critically involved in creating a good government that the importance of securing the best men available should outweigh and practically exclude all other considerations. This principle of selection has been followed without deviation. No officer, high or low, has been appointed upon any one's request or upon any personal, social or political consideration."

It may well be doubted whether there can be found in the history of any other nation an example of the government of a dependent people undertaken in as disinterested a spirit.

The great difficulty generally arises in regard to the subordinate places, whose number is so great that it is impossible for the President or the head of the Department to exercise a personal choice. It was therefore determined by both the Philippine Commissions that the competitive system was necessary for the elimination of patronage and for securing the best service in the islands. The first Commission reported that this system ought to be established, and the second Commission established it. A civil service law was enacted by this Commission on September 19, 1900. In introducing the measure, President Taft said:

"The danger in any government, whether it be republican or monarchical, is that public office be used for private purposes. All countries have suffered from this evil, and those countries in which a thorough system of civil service is selected are the first to minimize that danger. . . . It is the hope of the Commission to make it

possible for one entering the lowest ranks to reach the highest upon a tenure based solely upon merit."

The Philippine civil service act is much more comprehensive than our own law. It is now nearly twenty years since our Federal law was enacted, and although very few statutes have so well met the constantly changing conditions of the times there were necessarily some shortcomings. The Philippine civil service act has filled up the gaps, and provided for as complete a system as is possible at the present time. A discussion of the differences between the two acts will be profitable.

I. In the first place the scope of the Philippine civil service act is far broader than that of our own law which does not apply to laborers, nor to persons who are appointed by the President with the advice and consent of the Senate. With us the highest and the lowest places both remain outside of the purview of the law. There are fortunately other provisions in our Federal statutes which may enable us hereafter to establish a proper registration system for laborers, and rules may be adopted for filling some Presidential offices by competitive methods, but these provisions are not to be found in the civil service act itself.

The Philippine law, however, expressly provides "for the selection of laborers, skilled and unskilled, according to the priority of their applications, by such non-competitive examinations as may be practicable, and which need not relate to more than the capacity of the applicants to labor, their habits of industry and sobriety, and their honesty." Thus the entire labor force of the islands is brought within the classified service.

The higher offices, with very few exceptions, are also included, and vacancies are to be filled by promotion, thus giving the greatest incentive to those in the Philippine civil service for the efficient and faithful performance of their duties.

The place of department-assistant, as it is called, offers the readiest means of promotion. The examination for this

place is of a very high character, and quite severe. It is calculated to test the general education and intelligence of the candidate, as well as his capacity for the particular work which he is immediately required to perform. In this respect it differs from most of the examinations for places in the classified service in America. Two days of seven hours each are required for this examination. The subjects required include a thesis to be written on one of two given topics ; the correction of a rough-draft manuscript ; arithmetic, algebra, and plane geometry; the history, Constitution, government, and geography of the United States ; commerce and industrial resources of the United States ; general history and geography ; territorial government and administration ; and political economy. Besides the subjects required there are twenty optional subjects, for which additional credit is given. These include agriculture, bookkeeping, chemistry, botany, civil engineering, educational methods, finance, forestry, geology, general, international and Spanish law, the mining and land laws of the United States, the Spanish language, mineralogy, municipal administration, sanitary science, taxation, and the theory and practice of statistics. No competitor receives any credit for his optional subjects unless his rating in the regular examination is higher than 70 per cent. The credits received upon the optional subjects simply tend to increase his prospects of appointment to some particular place for which these optional subjects show his qualifications. If the needs of the service require it, requisition may be made for those standing highest on one or more of the optional subjects who have also passed the regular examination. For instance, if a vacancy should occur in the municipal government of Manila in a place requiring a knowledge of municipal administration, or in the Forestry Bureau, requiring a knowledge of forestry, a requisition would probably be made for eligibles who have shown the most proficiency in these subjects, and who have also passed the regular examination.

Those appointed from the department-assistant examination will be preferred in promotions to higher administrative offices, unless special technical qualifications are required. They have thus a fair opportunity to be advanced to the highest administrative positions.

The salaries for the places of department-assistant are not less than \$1,200, and for some of the places, like that of financial agent, the salary is as high as \$2,000.

II. In America competitive examinations are not generally required for promotion, and it is a serious defect of our present system that promotions are often made for reasons of personal favor or political influence,—a defect, however, for which it is hoped that at no distant day a remedy will be found. In this respect the Philippine act is more stringent than the Pendleton bill. In the Philippine service promotions must be made by competitive examinations, though the board may provide for an allowance of credit for previous experience and efficiency, to be estimated by the officer under whose direction the service has been rendered.

III. The Philippine law has another decided advantage over the American. When different positions in this country become classified, the men who are in these positions usually remain there, without any examination to test their qualifications to keep the places they hold. These persons have been originally appointed under the spoils system. They are usually strong partisans, their habits of thought are often greatly tintured by the ideas of that system, and these ideas, carried into the classified service by those who become a part of it, necessarily infect the entire service to a certain degree.

But in the Philippine service the men who were originally appointed to office were appointed with little regard to politics, and in addition to this the Philippine act provides that the civil service board may examine the employees in the service to determine their fitness to *retain* their places. These examinations have been held; a number of inefficient

employees have been discharged, while others have vacated their positions rather than undergo the examination. The Philippine service, therefore, stands in a better condition, in respect to the personnel of those who now compose it, than the classified service of this country.

IV. The Philippine law is more stringent than ours in also requiring a thorough physical examination by a competent physician of every applicant in the United States, and the rejection of all who are physically disqualified for efficient service in the Philippines, and in also requiring an age limitation for those entering the lowest rank of the service, the maximum age being forty years, and the minimum eighteen. This avoids the difficulty which would result from admitting to the service men advanced in years, where the duties can be better performed by younger and more energetic persons. It is evident that a service protected by these limitations will undoubtedly be superior to one where they are not required. The only serious question is whether the limitation of forty years is strict enough. The service would be still better if none were admitted who were over thirty years of age. None are appointed to the British Indian service who are over twenty-three.

V. The United States Civil Service Commission is authorized by law to investigate abuses and to report concerning the condition of the service, but no power is given to administer oaths or to subpoena witnesses. Difficulty has sometimes been found in securing testimony under these conditions, and cases have been known where even officers of the Government have impudently refused to furnish or to allow their subordinates to furnish the Commission with information in regard to violations of the law. This evil has been partly remedied by a recent order of the President, directing that all officers and employees of the Government shall give information and testimony when required, and they can now be dismissed for failure to do this; but there is still no power to require the testimony of any person outside the service.

The Philippine law has remedied this defect by providing that the civil service board and its duly authorized examiners are empowered to administer oaths, and summon witnesses, and to require the production of official books and records.

VI. Another serious defect in our Federal statute is the absence of a provision stopping the pay of persons appointed or retained in violation of the law. This evil has been remedied in part by a recent rule of the President, which provides that whenever the Commission finds that any person is holding a position in violation of the law, it shall, after notice and opportunity for explanation, certify the fact to the head of the department, and then if the person be not dismissed within thirty days, to the disbursing or auditing officers, and thereafter such officers shall not pay any salary which may accrue after the certificate has been received by them. This rule may be enforced by the dismissal from office of any auditing or disbursing officer who violates it.

But the Philippine act provides a much more effective remedy, since it directs that when the civil service board shall find that any person holds office in violation of the law it shall certify the fact to the disbursing and auditing officers, and, if they afterwards pay or permit to be paid any salary or wages, the payment shall be illegal, the disbursing officer shall not receive credit for it, and the auditing officer shall be liable on his official bond.

VII. The Philippine act is more effective than ours in regard to political contributions. Our Federal statute provides that no officer or employee shall solicit or collect from or pay to any other officer or employee any money for political purposes, nor shall any such solicitations be made in a Federal building; but the Philippine act goes further, and provides that *any person* soliciting political contributions from public officers or employees shall also be subject to an appropriate penalty. It is found in actual practice that political contributions are generally solicited by persons not

in the Federal service, for the purpose of evading the law, the employee who pays the money fully believing, however, that the demand is supported by his official superior. The Philippine act effectually prevents such abuses.

VIII. The Philippine act differs essentially from the American in regard to preferences in appointments. Our Federal law gives an absolute preference to persons who have been discharged from the military or naval service for disability incurred in the line of duty. If a veteran of this class has passed with a bare average of 65 per cent, he is preferred for certification over all others, no matter how high they may stand upon the list. According to the Philippine act the only preference allowed (I quote the explanation of it given by the board), "is in cases where the names of natives of the islands and honorably discharged soldiers and sailors appear on certification. It is provided that when their names are certified, and other things are equal, preference shall first be allowed to natives of the islands, and then to honorably discharged soldiers, sailors and marines of the United States. None of these, however, can be certified out of the order of their relative standing in the examination, and no preference can be shown by an appointing officer in their selection until their names appear on certification. The act, therefore, while giving preference to natives and soldiers, still safeguards the service by requiring that they shall pass in their examinations sufficiently high to have their names certified for appointment. This insures a high standard of efficiency in the service, while it allows a fair preference in selecting natives or soldiers, sailors or marines."

IX. A supplemental act passed by the Philippine Commission directs the civil service board to report a plan for the readjustment of salaries in proportion to the labor and skill required and responsibility imposed, with a view to the reclassification of the service.

The need of the reclassification of the Federal service is very great,—far greater, it is believed, than the need of any

reclassification in the Philippine service, and it would be of immense value to the country if a similar law could be enacted by Congress.

"When the first examinations were announced in the Philippines" (I quote the language of Mr. F. M. Kiggins, formerly chairman of the Philippine civil service board, to whom I am under obligations for aid in the preparation of this article), "the Americans filed their applications for examination without delay, but the Filipinos held back until the object of the civil service act and rules was explained to them. When they learned that the rules were for the good of the service, and to secure the most competent employees, they hesitated no longer, and thus far over eleven hundred of them have been examined for various positions in the service. While a greater per cent of them have failed than of Americans, still for the lower clerical and other positions ample registers of Filipinos have been established. On account of their limited education and lack of familiarity with American methods of transacting business, they have necessarily been appointed, as a rule, to minor positions, but it is stated by the civil service board that nearly all of those who have been appointed are proving satisfactory. It is also interesting to note, in view of the fears that have been entertained by some that the application of civil service rules to the Philippines would result in confining appointments there to Americans, that the majority of those who have so far been appointed are Filipinos. The examinations are conducted in both the English and the Spanish languages, and where a Filipino can be utilized he is selected in preference to an American."

Every extension of the operations of civil government in the Philippines has carried with it the application of the civil service law and rules. One of the most recent extensions was to the municipal service of Manila, when the city charter was adopted on July 30 last. In March of this year the entire provincial service outside of Manila came under

the provisions of the civil service act, and it is understood that action has been taken looking to the classification of teachers throughout the islands at an early date. Many Filipinos in the public service are applying themselves to the study of English, while public schools are being organized all over the islands, with qualified teachers sent from the United States, who are also teaching the English language. Thus the islanders are not only favored by civil service law, but also by a liberal system of education so as to qualify them for governing themselves.

The United States Civil Service Commission has been directed to co-operate with the Philippine civil service board in supplying the latter with eligibles for such positions as Americans are required to fill, especially positions in which professional, technical or scientific qualifications are needed. Clerks with special qualifications, bookkeepers, compositors, pressmen, electrotypers, experts for the Insular Bureau of Agriculture, foresters, bookbinders, examiners, photographers, engineers, lumbermen, etc., have been sent to the islands by selection from the examinations made by the Federal Commission or by transfer from the Federal civil service.

Shortly after our acquisition of these islands there was much discussion as to the best methods of securing trained men to administer the government there. It was suggested that a suitable training school, like Haileybury College, established by England for the Indian service, would be the best method. It would have required some time for the development of such a system, and the evils of political patronage would not have been eliminated. The Philippine Commission, it is believed, took a far better course in determining that places in the islands should be filled by open competitive examination, free to all, in which the inhabitants of the islands should have a preference when other qualifications were equal. It is hard to see how our government of the Philippines could be started upon its path in any

better way than by the excellent provisions established by the Philippine Commission.

The reflex action upon our Government at home of the establishment of a complete merit system in the Philippine Islands can hardly fail to be beneficial. The example of good methods successfully administered, even in a possession as distant as the Philippines, is sure to beget good results when contrasted with the inefficiency and corruption that flow from the remnants of the spoils system here at home. It will be remembered that England first tried competitive methods in her Indian possessions before she established the civil service system at home, and it was the successful working of this system in India which led to its adoption in England. It may not be improper to repeat here the opinion expressed on a former occasion, that inasmuch as the beginnings of this reform came from Calcutta to London, it is not impossible nor unreasonable to expect that its perfect consummation may come from Manila to Washington.

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